

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NATHAN PAM, et al.	:
	: 1:18-cv-04670 (BMC)(PK)
	:
Plaintiffs,	:
	:
-against-	:
	:
ARAB BANK, PLC,	:
	:
Defendant.	:
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STIPULATION AND [PROPOSED] ORDER

WHEREAS, Plaintiffs' counsel in the above-captioned litigation have been retained by Plaintiffs Mayer Moskowitz, Avraham Moskowitz and Rachel Winkler ("Additional Ben-Meir Family Plaintiffs"); and

WHEREAS, on August 17, 2018, Nathan Pam, Raziel Pam, Neemah Pam Fisher, Pauline Ruth Ben Meir, Joel Moskowitz, Leeba Naava Ben Meir Rotem, Yisrael Eldad Ben Meir, Shiria Ben Meir, Sara Ben Meir Shushan, Maya Ben Meir, Moshe Gabriel Ben Meir, Ephriam Bluth, individually and as the Legal Representative of Shoshana Bluth, Tsipora Batya Bluth Reicher, Isaac Menachem Bluth, Yigal Amichai Bluth, Aryeh Yehuda Bluth, Chanina Samuel Bluth, Abraham Aharon Bluth, Joseph Shimshon Bluth, Zvi Fenichel, Eliezer Spitz, individually and as the Legal Representative of Shoshana Spitz, Avital Spitz, Yoel Spitz, Rachel Spitz Mendelson, Tehila Spitz-Tannin, Nurit Spitz Trau, Chana Spitz Winkler, Baruch Tratner, Judith Tratner, Drora Wizner, Rivka Selzer, and Belka Gez (collectively, "Pam Plaintiffs"), filed a lawsuit ("Complaint") against Arab Bank, PLC ("Defendant").

WHEREAS, the Pam Plaintiffs, Additional Ben-Meir Plaintiffs (collectively “Plaintiffs”) and Defendant seek to avoid the administrative burden of filing and responding to a new action that alleges the same or similar facts as those alleged in the above-captioned case;

NOW, THEREFORE, it is stipulated and agreed by and between the undersigned and subject to the approval of the Court as follows:

1. The Additional Ben-Meir Family Plaintiffs may be added to this action pursuant to Fed. R. Civ. P. 15(d) by filing a Supplemental Complaint within ten days of the entry of this Order that sets forth the Additional Ben-Meir Family Plaintiffs’ names and nationalities and the dates, places and manners in which they were injured.
2. The Additional Ben-Meir Family Plaintiffs need not re-serve process upon Defendant, and may serve the Supplemental Complaint by serving a copy of that document upon Defendant’s Counsel.
3. The terms of this Stipulation and Order shall not preclude Defendant from asserting any defense to the claims asserted by any Pam Plaintiff or any Additional Ben-Meir Family Plaintiffs. Nor shall the terms of this Stipulation and Order preclude the Defendant from opposing any request by the Plaintiffs to add parties other than the Additional Ben-Meir Family Plaintiffs to this action through the filing of another Supplemental Complaint or otherwise.

4. The Defendant need not file a separate motion to dismiss or other responsive pleading with respect to the individual claims asserted by the Additional Ben-Meir Family Plaintiffs. If and when the Supplemental Complaint is filed pursuant to this Stipulation and Order, the Defendant will be deemed to have moved pursuant to its pending Motion to Dismiss, and for the reasons set forth therein, for dismissal of the Supplemental Complaint. Neither the Defendant nor the Additional Ben-Meir Family Plaintiffs shall file any additional briefing with respect to that motion.
5. Claims asserted by the Additional Ben-Meir Family Plaintiffs pursuant to the terms of this Stipulation and Order will be considered to have been filed on the date the Stipulation and Order is filed by the parties with the Court and shall not relate back to the date the original complaint in this action was filed. However, Defendant acknowledges that, for limitations purposes, the Additional Ben-Meir Family Plaintiffs' claims will be treated as if filed on the date of the filing of this Stipulation and [Proposed] Order.

Dated: New York, New York

November 30, 2018

Respectfully submitted,

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Attorneys for Defendant

SO ORDERED:

Dated: _____, 2018

Hon. Brian Cogan, U.S.D.C.